

**HOUSE JOURNAL**  
**60TH LEGISLATURE / SPECIAL SESSION MAY 2007**  
**FIFTH LEGISLATIVE DAY**

Helena, Montana  
May 15, 2007

House Chambers  
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Stoker. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Morgan, Representative French, Representative Becker and Representative Milburn. Quorum present.

**COMMUNICATIONS AND PETITIONS**

May 12, 2007

Ms. Marilyn Miller  
Chief Clerk  
House of Representatives  
Helena, Montana 59620

Dear Marilyn:

Please be informed that I have appointed the following members to the various committees:

Children, Families, Health and Human Services Interim Committee:

Rep. Ernie Dutton  
Rep. Edith Clark  
Rep. Diane Sands  
Rep. Teresa Henry

Workforce Investment Board::

Rep. Elsie Arntzen  
Rep. Arlene Becker

Land Information Advisory Council:

Rep. Jon Sesso

Revenue and Transportation Interim Committee:

Rep. Bob Lake  
Rep. Penny Morgan  
Rep. Jon Sonju  
Rep. Mike Jopek  
Rep. Galen Hollenbaugh  
Rep. Tim Furey

Legislative Council's appointment to the NCSL & CSG Interstate Committee:

Rep. Himmelberger

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman):  
Correctly enrolled: **HB 6, HB 4.**

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Examined by the sponsor and found to be correct: **HB 6, HB 4.**

Signed by the Chief Clerk of the House at 8:25 a.m., May 15, 2007: **HB 6.**

Signed by the Speaker at 9:25 a.m., May 15, 2007: **HB 6.**

**MESSAGES FROM THE SENATE**

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments: 5/15/2007  
**HB 2**, introduced by Clark

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments: 5/15/2007  
**HB 3**, introduced by L. Jones

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 2 - Senate Amendments** - Representative Clark moved Senate amendments to **HB 2** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 58

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.  
Total 41

Voted Absentee: Becker, French, Ayes; Milburn, Morgan, Noes.

Excused: None.

Total 0

Absent or not voting: Ripley.

Total 1

**HB 3 - Senate Amendments** - Representative L. Jones moved Senate amendments to **HB 1** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek,

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Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, Mendenhall, Nooney, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Becker, French, Milburn, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Ripley.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Mendenhall, Nooney, Peterson, Rice, Sinrud, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 31

Excused: Becker, French, Milburn, Morgan.

Total 4

Absent or not voting: Malcolm, Ripley.

Total 2

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 2** passed as follows:

Ayes: Ankney, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Lambert, MacLaren,

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McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 57

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Nooney, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.  
Total 37

Excused: Becker, French, Milburn, Morgan.  
Total 4

Absent or not voting: Kottel, Ripley.  
Total 2

**HB 3** passed as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 67

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Mendenhall, Peterson, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.  
Total 27

Excused: Becker, French, Milburn, Morgan.  
Total 4

Absent or not voting: Kottel, Ripley.  
Total 2

Representative Mendenhall moved to adjourn Sine Die. House adjourned at 9:45 a.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House